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June 14, 2021

**By ECF and Email**Honorable John P. Cronan  
United States District Judge  
Southern District of New York  
United States Courthouse  
New York, NY 10007*Silicon Valley Bank v. JES Global Capital GP III, LLC*, 21 Civ. 2552 (JPC)

Dear Judge Cronan:

On behalf of Plaintiff Silicon Valley Bank, we are following up on the question raised by the Court concerning the potential impact of a final judgment on the prejudgment attachment orders issued by the Court. For the reasons described below, we do not believe that any additional action is required to continue the effect of the existing attachment and injunction orders following entry of final judgment.

Under Rule 64 of the Federal Rules of Civil Procedure, prejudgment relief concerning attachment of assets is governed by state law. Chapter 62 of New York's CPLR expressly provides that an attachment order, once entered, "is annulled when . . . a judgment entered therein in favor of the plaintiff is *fully satisfied*." CPLR 6224 (emphasis added).

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Honorable John P. Cronan

Accordingly, this Court's existing "attachment is preserved after final judgment for the plaintiff until it is 'fully satisfied.'" *See Horvath v. Letay*, 343 F.2d 463, 465 (2d Cir. 1965) (quoting CPLR 6224). Other courts in this district have recently applied this rule. *See Pangea Capital Mgmt., LLC v. Lakian*, No. 16 Civ. 840, 2017 WL 4081911, at \*7 (S.D.N.Y. Sep. 13, 2017) (observing that prior attachment order "remains in force" following the court's entry of final judgment).

For avoidance of doubt, we respectfully request that the Court endorse this letter or add a statement to the final judgment that reads: "All prejudgment orders of attachment in this action shall remain in full force and effect until judgment in favor of the plaintiff is fully satisfied."

We are available to discuss this or any other issue if helpful for the Court.

Respectfully yours,

/s/ *Lorin L. Reisner*

Lorin L. Reisner

Enclosures

cc: Counsel of record (via ECF)